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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
6

7 UNITED STATES OF AMERICA,

2:09-cr-56-KJD-RJJ

8 Plaintiff,

9 v.

10 IAN CHRISTOPHERSON,

DETERMINATION UNDER
28 USC §455(a) AND CODE OF
JUDICIAL CONDUCT, CANON
3E(1)(a)

11 Defendant.
12

13 Presently before the Court is Plaintiff's Notice and Request for Determination under 28
14 U.S.C. §455(a) and Code of Judicial Conduct, Canon 3E(1)(a) (#16).
15

16 **BACKGROUND**

17 Plaintiff has requested that the Court determine whether there is a conflict or potential
18 conflict that might exist between the Court and the Defendant in the above-captioned matter. The
19 request arises from a prior commercial landlord-tenant relationship wherein Defendant and his
20 partner rented space from the Judge's corporation, Kent J. Dawson, Chtd. Plaintiff states that over
21 a year prior to Defendant's indictment, Plaintiff became aware of the fact that Defendant had
22 previously rented space from a federal judge in the district. Later, in preparing for trial, Plaintiff
23 became aware of the fact that it was the presiding judge in this case. Accordingly, Plaintiff requests
24 a determination as to whether, under the circumstances, the Court's impartiality might reasonably
25 be questioned.
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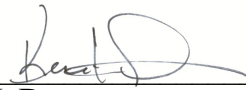
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1 occurred more than three years earlier, had long been concluded and was entirely unrelated to
2 debtor's case. In re: Syntax-Brilliant Corp., 400 B.R. 21 (Bkrcty. D. Del. 2009). Further, a
3 bankruptcy judge's prior association with Debtor's counsel did not require his disqualification
4 where the last association had occurred six and one-half years ago and had not involved the case
5 *sub judice*. In re Johnson-Allen, 68 B.R. 812 (Bkrcty. E.D Pa. 1987).

6 **CONCLUSION**

7 The prior relationship of landlord-tenant between Defendant's partnership and the judge's
8 corporation which terminated amicably approximately ten years ago and without residual financial
9 obligation is not a circumstance in which the Court's impartiality might be reasonably questioned.
10 Nor is there a personal bias or prejudice concerning a party based on the facts known to the Court.

11 DATED: September 1, 2011

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13 
14 Kent J. Dawson
United States District Judge